

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 \* \* \*

4 ADRIAN JOHNSON,

Case No. 2:18-cv-00647-GMN-EJY

5 Plaintiff,

6 v.

7 SGT D. HOLMS, *et al.*,

## ORDER

8 Defendants.

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10 Pending before the Court are Plaintiff's proposed subpoenas (ECF No. 243) and Defendants' Motion to Quash Subpoenas. ECF No. 246. Discovery closed in this matter on September 18, 2020. ECF No. 105. A proposed joint pretrial order was filed but rejected by the Court. ECF Nos. 239, 240. Thereafter, the Court referred this matter for appointment of pro bono counsel. ECF No. 242.

11 The Court finds any effort to reopen discovery and serve subpoenas is properly deferred until such time as counsel is appointed for Plaintiff. If no counsel can be located, Plaintiff must **meet and confer** with defense counsel if he seeks to reopen discovery and issue subpoenas. Absent Court approval or agreement of the parties, Plaintiff may not unilaterally proceed with discovery including, but not limited to, serving subpoenas on third parties.

12 Accordingly, IT IS HEREBY ORDERED that the Motion to Quash (ECF No. 246) is GRANTED to the extent that Plaintiff's efforts to conduct discovery is, at best, premature. The granting of Defendants' Motion to Quash is without prejudice to later appearing counsel for Plaintiff who may choose to seek the reopening of discovery or to the parties who may choose to stipulate to agree to allow Plaintiff to conduct limited additional discovery before preparing and filing a joint pretrial order.

13 Dated this 23rd day of April, 2025.

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ELAYNA J. YOUCHAH  
 UNITED STATES MAGISTRATE JUDGE